



USN 09/589,585

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	Jennifer Pearson et al.	Examiner:	Maikhanh Nguyen
Serial No.:	09/589,585	Group Art Unit:	2176
Filed:	June 7, 2000	Docket:	2043.025US1
Patent No.	7,673,229		
Title:	DYNAMIC SELECTION OF IMAGES FOR WEB PAGES		

APPLICATION FOR POST ISSUE PATENT TERM ADJUSTMENT UNDER 37 C.F.R § 1.705(b)

Mail Stop Issue Fee
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Applicants hereby apply for a recalculation of an adjustment of the patent term in accordance the holding of Wyeth v. Dudas (D.D.C. 2008). The required fee of \$200.00 under 37 C.F.R. § 1.18(e) and a statement of facts in support of this application are attached.

If necessary, please charge any additional fees or credit overpayment to Deposit Account No. 19-0743.

Respectfully submitted,

SCHWEGMAN, LUNDBERG & WOESSNER, P.A.
P.O. Box 2938
Minneapolis, MN 55402
(408) 660-2015

Date 5/3/2010

By

Bradley W. Scheer

Reg. No. 47,059

CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail, in an envelope addressed to: Mail Stop Issue Fee, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this 3 day of May, 2010.

Melissa Marsh

Name

Signature



09/589,585

PATENT**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Jennifer Pearson et al.

Examiner: Maikhanh Nguyen

Serial No.: 09/589,585

Group Art Unit: 2176

Filed: June 7, 2000

Docket: 2043.025US1

Patent No. 7,673,229

Title: DYNAMIC SELECTION OF IMAGES FOR WEB PAGES

**STATEMENT OF FACTS UNDER 37 C.F.R. § 1.705(b)(2) IN SUPPORT OF
APPLICATION FOR POST ISSUE PATENT TERM ADJUSTMENT**

Mail Stop Issue Fee
Commissioner for Patents
P.O. Box 1450
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The following is a statement of facts in support of the application for post issue patent term adjustment.

Applicants have calculated the correct post issue patent term adjustment as **2679 days**, which were calculated as follows:

Filing date	6/7/2000
Allowance date	10/13/2009
Patent Issue date	3/2/2010
Filing date plus 3 years	6/7/2003
"A" delays (As calculated by USPTO on PAIR)	1002 days
"B" delay [3 Years PTO patent issue minus Pre-Issue "A" delay (that overlap with "B" delay) minus "B" delay exclusions (e.g. RCE days)]	2127 days (i.e., 2460 days - 333 days - 0 days)
"A" delay plus "B" delay	3129 days (i.e., 1002 days + 2127 days)
Total Applicant Delay (as calculated by USPTO)	[450 days]

Total PTA with "B delay" in view of Wyeth	2679 days (i.e., 1002 days + 2127 days - 450 days)
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The patent issuing on this application **IS NOT** subject to a terminal disclaimer.


As set forth above, Applicants' patent term adjustment should be **2679 days**, and Applicants respectfully request notification to that effect. The Commissioner is invited to contact Applicants' attorney at (408) 660-2015 with any questions concerning this submission.

Respectfully submitted,

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Melissa Marsh

May

Name


Signature